IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4423 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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PARMAR KIRITBHAI KANCHANBHAI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 4423 of 1999

MR GI DESAI for Petitioner No. 1

RULE SERVED for Respondent No. 1-2

Mr.J.M.Barot for MR HS MUNSHAW for Respondent No. 3

Mr.S.N.Bhatt, Ld. AGP for Respondent Nos.1 and 2

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 14/08/2001

ORAL JUDGEMENT

I have heard Mr.G.I.Desai, learned Counsel appearing on behalf of the petitioner. I have also heard Mr.J.M.Barot, learned Counsel appearing on behalf of the respondent No.3 and Mr.S.N.Bhatt, learned AGP appearing on behalf of the State respondents.

The petitioner applied for the post of Vidya Sahayak and it is submitted by the learned Counsel for the petitioner that he was selected for the post of Vidya Sahayak. It is also submitted that the appointment is not being issued on the ground that the Government of Gujarat does not recognise the degree awarded by Amravati University. Admittedly, the petitioner passed the B.P.Ed., from Shree Hanuman Vyayam Prasharak Mandal under Amravati University. Mr.Barot, learned Counsel appearing

on behalf of the respondent No.3 draws my attention to the Gujarat Government's circular dated 29-12-1980 at Annexure "A" (Page 25) to the petition, from where it appears that the Government of Gujarat does not recognise the B.P.Ed. degree issued by Amravati University. In such a situation, I am of the view that the petitioner has no right to be considered for the post of Vidya Sahayak, as the degree obtained by the petitioner is not recognised by the Government of Gujarat. However, in earlier case, it was observed by this Court that for the post of Vidya Sahayak, if any candidate is aggrieved, he may approach the Vidya Sahayak Committee formed by the Government.

Mr.S.N.Bhatt, learned AGP, submits that the aforesaid Committee has now been abolished by the Government and appointment has already been made in the post of Vidya Sahayak. However, if the petitioner has any grievance, he may approach the State Government. I do not find any merit in the petition and accordingly it is dismissed. Rule is discharged. No order as to costs.

14-8-2001 (P. K. Sarkar, J.)

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